

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Juan Antonio RAMIREZ-Lozano,

Defendant(s)

08 FEB 22 PM 12:16  
Magistrate Case No.  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 05 33

## ) COMPLAINT FOR VIOLATION OF:

BY: *[Signature]* DEPUTY

- ) Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
- ) Transportation of Illegal
- ) Aliens
- )
- )

The undersigned complainant, being duly sworn, states:

On or about **February 21, 2008**, within the Southern District of California, defendant **Juan Antonio RAMIREZ-Lozano** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Alejandro CASTRO-De La Cruz, Tomas GOMEZ-Mucino** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

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SIGNATURE OF COMPLAINANTJames Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 22<sup>nd</sup> DAY OF **FEBRUARY**  
2008

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*William McCurine Jr.*  
William McCurine Jr.  
UNITED STATES MAGISTRATE JUDGE

### PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Alejandro CASTRO-De La Cruz, Tomas GOMEZ-Mucino** are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On February 21, 2008, Border Patrol Agent S. Avila was manning lanes one and two of the San Clemente Border Patrol Checkpoint. At 9:50 A.M. a beige 1989 Nissan Maxima, approached his position in lane one.

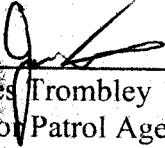
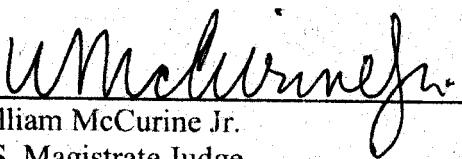
As the vehicle the approached his position, Agent Avila signaled for the driver to stop. The driver accelerated the vehicle past his position. As the vehicle passed by him, Agent Avila successfully deployed a controlled tire deflation device, deflating the right rear tire. The vehicle stopped in the median, of northbound Interstate 5, approximately one quarter mile north of the San Clemente Border Patrol Checkpoint. The driver later identified as the defendant **Juan Antonio RAMIREZ-Lozano**, exited the vehicle and ran west across the southbound lanes of Interstate 5 into the San Onofre State Park.

The front seat passenger who was later identified as Alejandro CASTRO-De La Cruz remained in the vehicle as agents from the checkpoint approached the car. Agents B. Martin identified himself to CASTRO as a United States Border Patrol Agent and questioned him regarding his citizenship. CASTRO admitted that he is a citizen of Mexico illegally present in the United States. CASTRO informed Agent Martin that there were three people concealed in the trunk of the vehicle. Agent A. Ceja opened the trunk of the vehicle and found three people concealed in it. The three subjects were later identified as Tomas GOMEZ-Muncio, Herminio RIVERA-Espinoza and his juvenile daughter Angelica RIVERA-Lopez. Agent D. Guerra and Ceja identified themselves to the three passengers as United States Border Patrol Agents and questioned them regarding their citizenships. All three stated that they were citizens of Mexico illegally in the United States. They also were placed under arrest and all four passengers were transported to the San Clemente Border Patrol Station.

Utilizing cameras located near the San Clemente Border Patrol Checkpoint Agent M. Cariker observed the defendant cautiously walking southbound in the brush towards the state park road. Agent Cariker directed Agent J. Lopez to the defendant's location. Agent Lopez located the defendant in the brush and identified himself to the defendant as a United States Border Patrol Agent. The subject attempted to run. Agents E. Provencio and M. Barrera arrived and assisted Agent Lopez in subduing the defendant. After the defendant was secured, he spontaneously uttered that he ran from the vehicle because he was an illegal alien and was afraid. The defendant later stated that his true name is **Juan Antonio RAMIREZ-Lozano**. At 12:30 P.M. the defendant was placed under arrest and transported to the San Clemente Border Patrol Station for processing.

**CONTINUATION OF COMPLAINT:****Juan Antonio RAMIREZ-Lozano****Statements of Material Witnesses:**

Material witnesses Alejandro CASTRO-De La Cruz and Tomas GOMEZ-Muncio admit in summary to the following; That they are citizens of Mexico illegally present in the United States. Both made arrangements in Tijuana to be smuggled into the United States for \$2000 USD each. They were guided north crossing illegally approximately two miles east of the Tecate, CA Port of Entry. Once across they were picked up and transported to a home in San Diego where they spent the night. The following morning February 21, 2008 they were picked up by the defendant and driven north where they were eventually arrested.

  
\_\_\_\_\_  
James Trombley  
Senior Patrol Agent  
\_\_\_\_\_  
William McCurine Jr.  
U.S. Magistrate Judge2/22/08 1019 hrs  
\_\_\_\_\_  
Date/Time